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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,449	10/08/2003	Randy J. McMaster	244-3	9390
24336	7590	11/22/2004	EXAMINER	
KEUSEY, TUTUNJIAN & BITETTO, P.C. 14 VANDERVENTER AVENUE, SUITE 128 PORT WASHINGTON, NY 11050			TA, THO DAC	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/681,449	MCMASTER, RANDY J.	
	Examiner	Art Unit	
	Tho D. Ta	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 13-19 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-22 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-12 is/are rejected.
- 7) ☒ Claim(s) 7, 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 13-19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Group II, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 9/13/04.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3, 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the spring sleeve" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "said pin receptor" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1-3, 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Ingalls (2,402,049).

In regard to claim 1, Ingalls discloses a coupling device having a first end for mating to a first connector (column 10, lines 52-57) of a first mating device and having a second end for mating to a second connector of a second mating device, the coupling device comprising: a conductor 54 for extending and retracting at the first end, wherein the conductor 54 is biased to remain retracted but is extendable to make an electrical connection with the first connector of the first mating device.

In regard to claim 2, Ingalls discloses that a spring 55 for providing spring pressure; and a spring cylinder 51, connected to the spring 55, for cooperatively biasing the conductor 54 to remain retracted while under the spring pressure and for allowing the conductor 54 to extend and make an electrical connection with the first connector of the first mating device.

In regard to claim 3, Ingalls discloses that the spring cylinder 51 allows the conductor 54 to extend and make the electrical connection with the first connector of the first mating device, when the first connector is pushed towards the spring sleeve 51 a pre-specified amount.

In regard to claim 9, Ingalls discloses that a pre-specified amount of torque is required to push the first connector towards the spring cylinder to make the electrical

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connection and to ensure a minimum verifiable level of performance from the coupling device with respect to the electrical connection (this is inherent due to the structure 29 and 55).

In regard to the recitation "a coaxial cable and a tap block" in claim 10, it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

In regard to claim 11, Ingalls discloses that the first connector of the first mating device is a male connector having a pin (column 6, lines 21-28), and the conductor 30 comprises a pin receptor for receiving the pin.

6. Claims 1, 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Frei (2,405,881).

In regard to claim 1, Frei discloses a coupling device having a first end 27 for mating to a first connector of a first mating device 5 and having a second end 16 for mating to a second connector of a second mating device, the coupling device comprising: a conductor 26 for extending and retracting at the first end 27, wherein the conductor 26 is biased to remain retracted but is extendable to make an electrical connection with the first connector of the first mating device 5.

In regard to claim 12, Frei discloses that the first connector of the first mating device 5 is a female connector having a pin receiving portion (see fig. 1), and the conductor 26 comprises a pin 25 for being received by the pin receiving portion.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ingalls.

Ingalls discloses generally all that is claimed except that an internal threaded portion disposed at the first end (at 29) for threading onto an external threaded portion of the first connector so as to push the first connector toward the spring cylinder.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the internal thread at the first end and the external thread on the first connector since applicant has presented no explanation that these particular configurations of the engagement means are significant or are anything more than one of numerous configurations a person of ordinary skill in the art would find obvious for the purpose of providing engaging surfaces between two members and since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art. In re Einstein, 8 USPQ 167.

Allowable Subject Matter

9. Claim 6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

10. Claims 7, 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 20-22 are allowed.

12. The following is a statement of reasons for the indication of allowable subject matter: In regard to claim 6, the prior art fails to provide, teach or suggest a spring clip insulator having a cut there through, the spring clip insulator for expanding and opening at the cut to allow the pin receptor to pass there through. In regard to claim 20, the prior art fails to provide, teach or suggest a pin assembly for extending and retracting at the first end; and a pin receptor for extending and retracting at the second end, wherein the pin assembly is biased to remain retracted but is extendable to make an electrical connection with the female connector of the first mating device, and wherein the pin receptor is biased to remain retracted but is extendable to make another electrical connection with the male connector of the second mating device.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (571) 272-2014. The examiner can normally be reached on M-F (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**THO D. TA
PRIMARY EXAMINER**

tdt
11/17/04